

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

GARY PIERCE and HEIDI PIERCE,

Plaintiffs,

v.

CHICAGO RAIL LINK, L.L.C.,
CSX TRANSPORTATION, INC. and
CSX INTERMODAL, INC.

Defendants.

)
)
)
)
)
)
)
)
)
)
)

Court No. 03 C 7524

Judge Matthew F. Kennelly

**PLAINTIFFS' SUBMISSION OF PROPOSED JURY INSTRUCTION REGARDING
BIFURCATION**

Respectfully submitted,
GARY PIERCE and HEIDI PIERCE,
Plaintiffs

By: /s/George T. Brugess
George T. Brugess

HOEY & FARINA, P.C.
Attorneys for Plaintiff
542 South Dearborn Street
Suite 200
Chicago, Illinois 60605
312/939-1212

PROOF OF SERVICE

George T. Brugess, an attorney, certifies that he served a copy of the above Plaintiffs' Submission of Proposed Jury Instruction Regarding Bifurcation upon the attorneys listed below via e-filing the document and by U.S. Mail, a copy thereof to the address indicated below on or before 5:00 p.m. June 8, 2006.

Evan B. Karnes, II
O'Connor & Karnes
20 S. Clark Street, Suite 2000
Chicago, Illinois 60603

James A. Fletcher
Fletcher & Sippel, LLC
29 N. Wacker Drive, Suite 920
Chicago, IL 60606-2875

/s/George T. Brugess
George T. Brugess

HOEY AND FARINA, P.C.
542 South Dearborn, Suite 200
Chicago, IL 60605
(312) 939-1212